

MOORINGS, ANCHORING AND DOCKING

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MOORINGS, ANCHORING AND DOCKING

§ 1 Authority and Enforcement

A. Authority

The Waterways Regulations are adopted by the Harbormaster pursuant to Massachusetts General Laws, Chapters 90B, 91 and 102, Commonwealth of Massachusetts Regulations Chapter 310, Section 9.07 and Article 15 of the Town of Hingham Harbor By-law.

B. Enforcement

The Harbormaster, Deputy Harbormaster and Assistant Harbormasters have the authority to enforce all regulations set forth herein.

§2 Definition of Terms

The following term, for the purposes of these regulations, shall have the following meanings unless another meaning is clearly apparent from the way in which the word is used:

Adrift. The word “*adrift*” shall mean without being fast to a stationary object.

Aground. The word “*aground*” shall mean stuck on the bottom.

Anchor. The word “*anchor*” shall mean to hold a vessel in place by lowering a heavy weight into the water by cable, chain, line or other method.

Anchorage areas. The term “*anchorage areas*” shall mean areas designated for anchoring.

Awash. The word “*awash*” shall mean a semi-submerged vessel or object.

Berth. The word “*berth*” shall mean any space wherein a vessel is confined by wet slip, float, mooring, or other type of docking facility.

Boating season. The term “*boating season*” shall mean the period from May 1 to the following October 1.

Channel. The word “*channel*” shall mean a navigable route for the passage of vessels, established by customary use or under the authority of federal, state or municipal law.

Harbormaster. The word “*harbormaster*” shall mean the harbormaster, deputy harbormaster and assistant harbormasters duly appointed by the Board of Selectmen.

Heavy chain. The term “*heavy chain*”, which may also be termed “*bottom chain*”, shall mean the chain connecting the anchor to the swivel or buoy if a swivel is not used. The heavy chain may be a larger size or equal to the size of the light chain but in no case should it be a smaller size than the light chain.

Hingham Harbor. The term “*Hingham Harbor*” shall mean the waters of the sea lying within the limits of the Town of Hingham affected by the ebb and flow of the tides.

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Hingham Waterways. The term “*Hingham Waterways*” shall mean the navigable bodies of water within the Town of Hingham including the ponds, rivers, streams, seas, and oceans.

Inner Harbor. The term “*Inner Harbor*” shall mean the waters that lie South of a line drawn from Broad Cove to the southern most tip of Ragged Island, and then continuous due east to land.

Inner Harbor Mooring Basin. The term “*Inner Harbor Mooring Basin*” shall mean the water within the dredged mooring basin in the Inner Harbor.

Length. The word “*length*” shall mean the straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline, exclusive of bow sprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments.

Light chain. The term “*light chain*”, which may also be termed “*top chain*”, shall mean the chain connecting the swivel to the pennant. The light chain may be a smaller size or equal to the size of the heavy chain but in no case should it be a larger size than the heavy chain.

Marina. The word “*marina*” shall mean a berthing area with docking facilities under common ownership or control and with berths for ten or more vessels, including commercial marinas, boating facilities, and yacht clubs. A marina may be an independent facility or may be associated with a boatyard.

Moor. The word “*moor*” shall mean the securing or making fast of a boat, raft, or float by means of cables, anchors, lines, chains, or other device or contrivances, to the ocean bottom, the shore, or a dock, slip, pier, or marina; meaning and intending that this phrase applies to boats, rafts or floats which are secured to the ocean bottom, as well as to boats, rafts, or floats secured to a dock or slip in a marina.

Moored Float Permit. The term “*moored float permit*” shall mean a permit issued by the Harbormaster for the temporary mooring of a float, raft, or dock by semi-permanent anchorage installation, consisting of an anchor and chain.

Mooring. The word “*mooring*” shall mean a semi-permanent anchorage installation, consisting of an anchor, chain, mooring buoy, and pennant.

Mooring service/inspector. The term “*Mooring service/inspector*” shall mean any qualified person that has been permitted to service and inspect moorings in the Hingham Waterways.

Mooring buoy. The term “*mooring buoy*” shall mean a white buoy with a blue band marking a mooring.

Mooring/Docking permit. The term “*mooring/docking permit*” shall mean the annual written authority signed by the Harbormaster authorizing the permit owner to moor the prescribed vessel in Hingham Waterways in a location prescribed by the Harbormaster on either a mooring or in a slip.

Pennant. The word “*pennant*” shall mean a line or chain by which a vessel is made fast to a mooring buoy.

Permit owner. The term “*permit owner*” shall mean a person to whom a Hingham mooring/docking permit has been issued.

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Person. The word “*person*” shall mean and include an individual; a receiver; a trustee; a partnership; joint venture; a firm; an unincorporated association; a syndicate; a trust; a corporation; or any other entity.

Primarily Moored. The term “*primarily moored*” shall mean where a vessel’s main berth is located.

Qualified person. The term “*qualified person*” shall mean any person with the appropriate training and experience to construct, service, and inspect moorings to ensure that they meet the town regulations.

Rafting. The word “*rafting*” shall mean the making fast of two or more vessels while moored or anchored.

Scuba. The word “*scuba*” shall mean self-contained underwater breathing apparatus consisting of a diving apparatus with compressed air tanks for breathing underwater.

Stray Vessel. The term “*stray vessel*” shall mean a vessel which is in a deteriorated or un-seaworthy condition, sunken or likely to sink, awash, aground, adrift and likely to damage piers, wharves, floats or other vessels, constitutes a menace to navigation, or is secured to a mooring or pier without proper authorization.

Transient Permit. The term “*transient permit*” shall mean the written authority by the Harbormaster authorizing the temporary (less than fourteen (14) days) to moor the prescribed vessel in Hingham Waterways in a location prescribed by the Harbormaster on either a mooring or in a slip.

Vessel. The word “*vessel*” shall mean ships of all kinds, barges, sailing vessels, watercraft and powerboats of any type or kind by whatever means propelled, every structure designed, adapted or capable of being navigated, towed or operated on water from place to place for the transportation of merchandise, people, or for any other purpose except a seaplane on the water used or capable of being used as a means of transportation on water.

Worlds End Mooring Area. The term “*Worlds End Mooring Area*” shall mean the mooring area on the eastern side of Worlds End between Worlds End Reservation and Planters Hill.

Winter buoy. The term “*winter buoy*” shall mean a winter mooring marker.

§ 3 Applicability

These regulations apply to all –

- (i) Moorings in the Town of Hingham
- (ii) Vessels or other objects anchored or moored in the Town of Hingham.

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§ 4 Mooring/docking permits

A. All Vessels Required to Have a Permit

- (i) No person shall moor, anchor or set any mooring or vessel within the limits of Hingham Waterways without first obtaining a mooring/docking permit from the Harbormaster except in an emergency as described in (iv) of this section.
- (ii) All vessels moored for two consecutive weeks (14 days) or primarily moored in the Town of Hingham shall obtain a mooring/docking permit from the Harbormaster.
- (iii) Other objects, including, but not limited to floats or rafts attached to ground tackle shall obtain a Moored Float Permit from the Harbormaster.
- (iv) Except in an emergency, no person, including, but not limited to, a person acting as master, owner, or custodian, shall moor or anchor any boat, raft, or float for a period of more than forty eight (48) hours within the limits of Hingham Harbor, or in any waters under the jurisdiction of the Harbormaster, without first obtaining written permission from the Harbormaster.
- (v) Mooring/docking permits are issued annually and the decal shall be properly affixed to the port quarter of the boat prior to its placement in the waterways. The permit will expire on December 31st of the calendar year they were issued.

B. Waiting List

- (i) The Town Clerk will maintain a waiting list for the Inner Harbor Mooring Basin and Worlds End Mooring Area. All new applicants can sign up at the Town Clerks Office. All people who wish to be on the waiting list for a mooring location must re-apply each year in order to maintain their position.
- (ii) If, in the opinion of the Harbormaster, there is space for additional boat(s) in these locations the Harbormaster will request the waiting list from the Town Clerk.
- (iii) When a mooring/docking permit becomes available, the Harbormaster may offer the permit to the first person on the waiting list with a vessel appropriate in size or type as determined by the Harbormaster. The Harbormaster may consider other factors as he deems fit, reasonable, and equitable in allocating the available space. The permit applicant shall make application with the Harbormaster and meet all of the mooring/docking permit application requirements within the timeframe specified by the Harbormaster.
- (iv) To remain on the waiting list from year to year, the applicant shall pay an annual fee to be determined by the Board of Selectmen. Such fee shall be paid by the end of the calendar year. Failure to do so may result in removal from waiting list. The Town Clerk will notify persons on the list once annually of their need to re-apply. It is the sole responsibility of the person on the waiting list to maintain their status.

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C. Obtaining a New Permit

- (i) The applicant must submit their mooring request on the “Mooring/docking permit Application” form set forth by the Harbormaster.
- (ii) The mooring/docking permit applicant shall –
 - (1) Ensure that the information on the form is accurate and that all requested information is complete;
 - (2) Include a description of the mooring gear used to moor the vessel, the applicant's mooring location preference and additional reasonable information as the Harbormaster deems necessary;
 - (2) Provide copies of vessel registration or documentation; and
 - (3) Return the form to the Harbormaster’s Office for review with the required annual fee and self addressed stamped envelope.
- (iii) Issuance of a mooring/docking permit will be denied if the permit owner is delinquent in the payment of boat excise tax in accordance with the MGL Chapter 60B § 4. If boat excise tax is paid to another town/city proof of payment is required at time of application. If the vessel is primarily moored in Hingham the excise tax shall be paid to Hingham.
- (iv) Issuance of a mooring/docking permit may be denied if the permit owner is delinquent in the payment of any local taxes, fees, assessments, betterments or any other municipal charges in accordance with the MGL Chapter 40 § 57.

D. Renewal of an Existing Permit

- (i) A mooring/docking permit owner will receive annually a “Mooring/docking permit Renewal” form from the Harbormaster.
- (ii) The mooring/docking permit owner who wishes to renew the permit shall -
 - (1) Ensure that the information on the form is accurate and that all requested information is complete;
 - (2) Provide copies of boat registration or documentation and any other additional paperwork as requested; and
 - (3) Return the form to the Town Clerk with the required annual fee and self addressed stamped envelope before March 1.
- (iii) A permit owner who does not wish to renew the permit shall indicate on the form and return the form to the Harbormaster.

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(iv) Issuance of a mooring/docking permit will be denied if the permit owner is delinquent in the payment of boat excise tax in accordance with the MGL Chapter 60B § 4. If boat excise tax is paid to another town proof of payment is required at time of application. If the vessel is primarily moored in Hingham the excise tax shall be paid to Hingham.

(v) Issuance of a mooring/docking permit may be denied if the permit owner is delinquent in the payment of any local taxes, fees, assessments, betterments or any other municipal charges in accordance with the MGL Chapter 40 § 57.

(vi) Any person who during the preceding year was a permit owner has priority for a mooring/docking permit at the same location provided that the boat is the same size, (length, draft, and beam) as the previous year.

(vii) In the event that a permit owner of a previous year upgrades in length, or draft, or size which may cause relocation of the permit owner's mooring, or in the event that a change in boats causes the Harbormaster to change the permit owner's location of mooring, the following will be used to determine who has priority to the open location.

The person who was a permit owner the previous year shall have priority over the current waiting list for boats that require the same type of location (length, or draft, or size) provided the person requesting the mooring location change has been a continuous permit owner for a period of consecutive years which is greater than the number of consecutive years than that of the person who is next on the waiting list for the same category.

(viii) Any permit owner who fails to renew a mooring/docking permit by March 1 may forfeit the mooring location and the associated mooring/docking permit. If the mooring location is still available the applicant may be assessed a late fee for every month the application was late.

E. Mooring Fees

The mooring/docking permit fee is not refundable and shall be established by the Selectmen prior to the first day of February each year. This fee shall apply to all vessels moored in Hingham Waterways greater than or equal to 13 feet unless state law provides for an exemption or the Board of Selectmen have provided for an exemption and is listed under special situations of these regulations. The mooring/docking permit fees are for all vessels on moorings, slips, docks, or floats, and apply to both commercial and recreational vessels and facilities. In the Worlds End Mooring Area each mooring/docking permit has a fixed fee per mooring and may be subject to additional fees as deemed appropriate and established by the Board of Selectmen prior to the first day of February each year.

F. Issuance of Mooring/docking permit

(i) Upon receipt of a complete mooring/docking permit application and inspection of the mooring gear as the Harbormaster may require, and upon full payment of any fee that may be required pursuant to these regulations, Town By-law and State Law, a mooring/docking permit may be issued designating the mooring location if, in the opinion of the Harbormaster, the mooring and gear is sufficient to moor the vessel described in the application and there is available space within the desired location without endangering other vessels or placing any person or property in danger.

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(ii) The Harbormaster may reassign any vessel to a different mooring location as he deems appropriate.

G. Transfer of Permit

(i) Mooring/docking permits are not transferable and no person shall cause any vessel to be attached to the mooring unless the vessel is described in the aforesaid application; provided, however, the Harbormaster may permit the temporary or transient use of a mooring by another vessel, subject to Section 4A(ii).

(ii) In the event of the death of a permit owner the Harbormaster may assign the mooring/docking permit to a member of the deceased immediate family, if the family member requests the transfer within one (1) year of the event of death. For purposes of this section "*immediate family*" shall mean spouse or child.

H. Transient Permits

No transient mooring/docking permit shall be issued until the applicant calls or hails the Harbormaster and provides the Harbormaster sufficient information as he may determine necessary to enable him to decide whether there is available space within the Inner Harbor Mooring Basin or Worlds End Mooring Area to moor the vessel without endangering other vessels. Until the applicant makes full payment of any fee that may be required pursuant to this regulation no transient mooring/docking permit shall be issued. Not more than 5% of the Inner Harbor Basin mooring locations shall be transient moorings. The Harbormaster has the sole authority to create and assign the use of transient mooring locations.

I. Maximum Vessel Length

At the discretion of the Harbormaster the maximum length of vessels on moorings in the Inner Harbor Mooring Basin shall not exceed thirty (30) feet overall (L.O.A.) except the transient moorings equipped to hold larger vessels.

J. Vessel Sales or Changes in Ownership

The Harbormaster must be notified within (30) days and a bill of sale must be provided to the Town of Hingham Assessors Office within (30) days of the sale of any vessel, or the transfer of any interest therein, assigned to a mooring location on Hingham Waterways. The permit owner has one (1) year to replace the vessel, however in extenuating circumstances the Harbormaster can extend the time limit. Replacement vessels must conform to the type and size boat that has been approved for the mooring and must be approved by the Harbormaster. The Harbormaster may, if he deems appropriate, reassign any such replacement vessel to a different mooring location.

K. Designated Use of Mooring

A permit owner may, with the written approval of the Harbormaster, and subject to Section 6, authorize a non-permit owner the use of said permit owner's vessel and mooring. Authorization can be granted for a maximum period of one (1) year after which only the permit owner may use the mooring or risk loss of his/her mooring/docking permit in accordance with the provisions of Section 4G. The non-permit owner's boat will not be allowed to use the same mooring location for more than one boating season.

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L. Abandonment

In the event that a permit owner does not use his mooring location for at least thirty (30) consecutive days in any boating season it may be deemed abandoned and/or reassigned, unless the permit owner has notified the Harbormaster, in advance, of his intent not to use the mooring location for a period not to exceed one boating season. In such event the Harbormaster may make the mooring location available for transient or temporary assignment.

§ 5 Moving, Relocating, Removal of Moorings

(i) Moorings shall not be moved from an approved location without the prior approval of the Harbormaster.

(ii) If for any reason the approved location of a mooring is not adequate for the vessel, it shall be the responsibility of the permit owner to move the mooring, within ten (10) days, to a new location approved by the Harbormaster.

(iii) In the event that a mooring is moved from its approved location by storm, ice or other cause, it shall be the responsibility of the permit owner of the mooring to relocate the mooring to the location originally approved, or to another location approved by the Harbormaster. Relocation of the mooring shall be made at the earliest opportunity, but in no case later than fourteen (14) days from the date that the dislocation of the mooring is or could be discovered. Any situation jeopardizing his/her vessel or vessels moored nearby shall be resolved immediately.

(iv) The Harbormaster may relocate, remove or cause to be relocated or removed any mooring or vessel whenever, in their judgment, the safety of other vessels or the maximum use of the area requires such action.

(v) Any expense of such inspection, removal or relocation and any liability incurred therefore shall be the sole responsibility of the permit owner of said mooring/vessel.

§ 6 Mooring Rentals

(i) No person shall offer a mooring for rent or lease a mooring.

(ii) The Harbormaster may rent/lease moorings. A marina located in the Back River or the Inner Harbor Mooring Basin may lease moorings and associated tackle off its facility with the permission of the Harbormaster. The mooring shall have the permit owner's last name or a designated mooring number approved by the Harbormaster.

(iii) Violation of this regulation may result in the revocation of the mooring/docking permit, removal of the mooring, and non-criminal citation and fines.

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§ 7 Mooring and Tackle Specifications

A. Pennant

Shall be of three strand soft lay nylon or braided line, have a hard spliced eye with a hot dip galvanized thimble of appropriate size in the end that attaches directly to the light chain. Pennant shall have a soft spliced eye in the opposite end to attach to the vessel. Pennant shall have installed chafing gear where the pennant goes through the chocks. Pennant may have a pickup buoy as long as pickup buoy line does not exceed 3 feet. Pennant shall not float. Pennants shall be inspected routinely and replaced at least every three years or when there are any signs of wear and tear and/or chafing. Each vessel shall have two (2) pennants secured directly to the chain, no split bridles or splicing pennants together.

B. Mooring Buoy

(i) The mooring buoy shall be white, hard/soft shell, high-density foam filled, with a two (2) inch blue reflective band around the middle. Through the center there shall be a conduit which the light mooring chain shall pass through and attach to the pennant.

(ii) The mooring buoy shall have the owner's last name. If a marina, club or organization is the permit owner it shall have the marina name, club, or organization's name as specified by the Harbormaster.

Any mooring not properly marked may be removed by the Harbormaster at the owner's expense.

C. Winter Buoy

The permit owner may use a winter buoy to mark the location of his/her mooring and they shall be-

(i) White in color with a blue band and marked with the owner's last name.

(ii) Upright at an angle of not less than forty-five (45) degrees at any period of tide and have at least 2 feet, but not more than 5 feet exposed and be at least 4" in diameter.

(iii) Not be constructed of wood. Commercial made plastic buoys are acceptable or buoy composed of PVC pipe.

(iv) Not be used between **June 1** and October 15th.

(v) It is recommended that all moorings not in use and left in the water after October 31 replace the mooring buoy with a winter buoy. No winter buoys shall remain in the waterways after **June 1**. Upon written order from the Harbormaster the owner of such winter buoys shall have two (2) weeks to remove the buoy. The Harbormaster may remove said buoy and replace it with an appropriate floatation buoy at the owner's expense. Neither the Harbormaster nor Town of Hingham, its agents or employees shall be liable for any damage or liability directly or indirectly arising out of such removal or replacement.

D. Mooring Tackle

All chain and associated eye bolts, swivels, shackles, thimbles shall be at least grade 30 (conforming to ASTM A413) hot dipped galvanized and stronger, if necessary. All shackle pins shall be moused by either coated wire or tie wrap. Chain and associated eye bolts, swivels, shackles, and thimbles shall be replaced when the wear factor has reached 20 percent from its original manufacturer's size. The permit owner is responsible for the mooring anchor, tackle, and pennants whether solely owned or rented.

E. Anchors and Mooring Blocks

- (i) Mushroom anchors are the predominant anchor used in Hingham Waterways. The minimum mushroom size can be determined on the Mooring Specifications Chart.
- (ii) Granite blocks shall be thru bolted with a 1¼ eyebolt. Concrete blocks, Dor-Mor, helical and Hazlett moorings may be permitted if approved by the Harbormaster based on feasibility, location, water depth, navigation, ground composition, swing radii, environmental impact, and other pertinent factors.

F. Specification Charts

Inner Harbor Basin Mooring Specifications							
All moored vessels							
Vessel Length	Mushroom	Granite Block	Heavy Chain	Light Chain	Hardware Size	Pennant	Mooring Ball
Up to 15'	150	500	1	1/2	3/8	7/16	12"
16'-20'	200	500	1	1/2	1/2	1/2	15"
21'-24'	250	1000	1	1/2	1/2	5/8	18"
25'-27'	300	2000	1	5/8	5/8	3/4	18"
28'-30'	400	3000	1	3/4	5/8	3/4	18"

Units: Lengths are in inches and dry weights are in pounds

- The length of the heavy chain shall be fifteen feet (15) and the length of the light chain shall be fifteen (15) feet.
- Shackles shall be the same size as the chain or larger.
- Swivels, shall be one size larger than the light chain to which they are connected.
- Shackles and swivels shall be safety wired or welded to prevent loosening.
- Pennants shall be at least five (5) feet in length but not more than 1.5 times the height from the water to the chock.

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Back River and Hingham Harbor Mooring Specifications (Except for Inner Harbor)							
All moored vessels							
Vessel Length	Mushroom	Granite Block	Heavy Chain	Light Chain	Hardware Size	Pennant	Mooring Ball
Up to 15'	100	500	½	½	3/8	7/16	12"
16'-20'	200	500	½	½	½	1/2	15"
21'-24'	250	1000	½	½	½	5/8	18"
25'-27'	300	2000	5/8	5/8	5/8	3/4	18"
28'-30'	400	3000	¾	5/8	5/8	3/4	18"
31'-34'	500	3500	¾	5/8	1	7/8	24"
35'-40'	600	4500	¾	5/8	1	1	24"
41'-50'	800	6000	¾	3/4	1	1 1/8	24"
Over 50'	Check with Mooring Service Company and Seek Harbormaster Approval						
Units: Lengths are in inches and dry weights are in pounds							

G. Minimum Mooring Gear

(i) The mooring specifications outlined above are minimum standards and are not designed to meet severe conditions. If severe weather is predicted, the vessel owner should take additional measures, including the removal of the vessel from the water. The permit owner can exceed these specifications except where it would be unsafe or hazardous to do so.

(ii) Each boater is encouraged to contact their own specialist in such matters for advice as may relate to the particulars of their vessel and location. The permit owner may then contact the Harbormaster to discuss what they feel is an appropriate set-up if it is precluded by these regulations.

§ 8 Mooring Inspection

A. Inspection

All moorings shall be inspected and approved by a qualified person before being placed in service on Hingham Waterways.

(i) Permit owners shall annually inspect the mooring, tackle, including pennants and buoys, and, if the gear is found defective, shall correct the defective condition immediately.

(ii) The Harbormaster shall require permit owners to have their mooring lifted at the permit owner's expense once every three (3) years for visual examination to determine its condition.

(iii) In lieu of lifting moorings, replacements may be made at the permit owner's expense. Upon prior approval from the Harbormaster, a permit owner may be permitted to have an underwater visual inspection by a PADI (or equivalent) certified diver who has sufficient training and experience to inspect the tackle. The diver shall report the mooring condition to the mooring service/inspector that will make a formal report to the Harbormaster.

(iv) The Harbormaster may, at any time, inspect any mooring; and may remove or cause to be removed any mooring that fails to meet the provisions of these regulations, Town By-laws, state law or any other applicable laws or regulations.

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B. Mooring Inspection Guidelines:

- (i) Any chain showing more than 20% wear from the size specified in these Mooring Regulations must be replaced. Any mooring chain that meets the 20% guideline but shows excessive or uneven wear in the opinion of the inspector, shall require another inspection within one year.
- (ii) Any chain which has deformed (stretched or bent) links must be replaced.
- (iii) Swivels must be replaced when ring or shackle pin is 20% worn. Swivels are only to be used between heavy and light chains.
- (iv) Shackles must be replaced when worn 20%. All shackles must be seized with coated wire or tie wrap. Stainless steel is not preferred.
- (v) Wear on mushroom anchor eyes and shafts must not exceed 20% of their diameter when new.
- (vi) Mooring pennants with obvious chafing, stretching, or un-laying shall be replaced.
- (vii) The mooring buoy shall have the owner's last name. If a marina, club or organization is the permit owner it shall have the marina name, club, or organization's name or a number approved by the Harbormaster if leased by a marina.
- (viii) The Harbormaster shall assign all mooring locations.
- (ix) Mooring inspections shall comply with all provisions of the Town of Hingham, Mooring Regulations.
- (x) Any modifications made to the original manufactures' design of mushroom or tackle will not be authorized and will fail an inspection.
- (xi) The use of U.S. made chain and hardware is recommended.

C. Qualified Mooring Service/Inspector

- (i) Must be able to supply, service, and/or repair all types of moorings on Hingham Waterways for which he/she has been qualified and shall pull any mooring that they have been hired to service for inspection by the Harbormaster upon his request at no expense to the Town of Hingham.
- (ii) Must be able to install or replace all moorings in their original location or on a site assigned by the Harbormaster.
- (iii) Inspectors must certify that mooring tackle and equipment complies with all Town of Hingham regulations including labeling mooring buoy with permit owner's identification should it be necessary. The inspector shall provide to the Harbormaster a completed mooring inspection form for each inspection.

MOORINGS, ANCHORING AND DOCKING

(iv) The issuance of a permit to a Professional Mooring Service/Inspector may be issued after the applicant registers (see Mooring Service/Inspector registration form), and is approved by the Harbormaster upon payment of a fee set by the Board of Selectmen. The Mooring Service/Inspector must maintain and show proof of liability insurance upon request of the Harbormaster in the amount of one million dollars, and display said permit onboard the vessel conducting work in Hingham Waterways.

(v) The Harbormaster retains authority to manage all mooring activities, including issuing permits, inspections, and the collection of mooring/docking permit fees.

(vi) Mooring service/inspectors shall adhere to all Town of Hingham mooring regulations and By-laws.

(vii) No law enforcement authority of any kind is authorized by the appointment of a mooring service provider/inspector.

(viii) Mooring service/inspectors with the approval of the mooring/docking permit owner, may inspect the mooring by hoisting it from the water or by using an approved certified diver in accordance with Section 8A(iii).

(ix) When acquiring GPS positions the antenna must be located directly above the mooring as it is placed. Survey grade differentially corrected systems should be used and must be used in all mooring areas as the Harbormaster may require. These units must be described as sub-meter accurate.

(x) Mooring service/inspectors permits shall be valid for a one year period unless sooner suspended or revoked for failure to adhere to the mooring inspection guidelines set by the Harbormaster's Office and all other Town of Hingham Mooring Regulations, Harbor By-laws and/or applicable Massachusetts General Laws.

§ 9 Anchoring

No vessel may anchor on Hingham Waterways for more than 48 hours without permission from the Harbormaster.

§ 10 Town Floats

A. Tying of Vessels

Any person using the town floats shall tie up their vessels as directed by the Harbormaster and shall move from the float when so directed by the Harbormaster.

B. General Use

Town floats may only be used for the prompt loading and unloading of passengers or supplies. For example, temporarily casting off from the float and then returning to the float within an hour with the intent to obtain extended dockage during a busy time will be considered unreasonable use of the float. The maximum time period for tying up a vessel is 30 minutes unless the vessel owner has written permission from the Harbormaster. No swimming shall be permitted from floats, piers or launching ramp.

MOORINGS, ANCHORING AND DOCKING

C. Charter/Party Boat Use

No person operating a charter or party boat will cause a charter or party boat to arrive at town floats until just before loading time or to discharge passengers. Any person operating a charter or party boat shall leave the town float immediately after loading or discharging passengers.

§ 11 Marinas

A. Required Information

All marinas are required to provide the Harbormaster with information to assist with the issuance of mooring/docking permits or other law enforcement responsibilities. This required information shall be provided before the issuance of any mooring/docking permits for vessels moored at that facility. As soon as a marina accepts registrations for moorings they shall notify the Harbormaster and shall do so on a continuous basis. This information shall include but is not limited to vessel owner's full name and address, all pertinent vessel information, slip and/or mooring number, and any other information deemed necessary by the Harbormaster.

B. Waiting List

Waiting lists for marinas and mooring fields shall be maintained by the private facility. The waiting list shall be made available to the Harbormaster upon his request.

C. Transient Permits

No transient mooring/docking permit shall be issued until the marina provides the Harbormaster with a Transient Mooring/ Slip Authorization in the form provided by the Harbormaster for each transient vessel. The form can be faxed or dropped off at the Harbormaster's Office.

D. Posting of these Regulations

All marinas shall post § 4 of these regulations in a common space to be viewed by the public and make it known to the vessel owners that they are required to obtain a mooring/docking permit from the Harbormaster prior to placing their vessel on a mooring or slip.

E. Violation

Failure to comply with this section or any of the regulations of the Town of Hingham By-Laws, or any other applicable laws or regulations shall constitute a violation by the marina and may result in enforcement actions as outlined in these regulations.

MOORINGS, ANCHORING AND DOCKING

§ 12 Stray Vessels

Any stray vessel shall be considered a public nuisance and shall be delivered to the possession of the Harbormaster until claimed by the owner or disposed of according to law. The owner shall pay all expenses incurred in connection therewith including charges for raising and storing. Removal of any stray vessel by the Harbormaster shall be without liability to the Town of Hingham, its officers, agents or employees. The Harbormaster may order the owner of any stray vessel to properly moor or remove any such vessel and failure to do so shall be a violation. For purposes of this section notice to the registered owner or title holder, and any person commanding said vessel at the time just prior to it becoming “stray” shall be presumed to be the owner of said vessel.

§ 13 Obstructing Navigation

No person shall place or maintain any obstruction to navigation, including a lobster pot or buoy attached thereto, or anchor any vessel within a channel or any approaches thereto.

§ 14 Special Situations

(i) Floats constructed to hold a house, building, shack, or provide living quarters will not be permitted in the Hingham Harbor. Any of these floating structures present as of January 1, 2010 may be permitted as long as they apply for a Moored Float Permit.

(ii) All members of the South Shore Yacht Club with a mooring in Hingham Waterways shall obtain a mooring/docking permit from the Hingham Harbormaster and pay Hingham the excise tax. Members of South Shore Yacht Club that primarily moor in Weymouth with a secondary “storm mooring” in Hingham shall obtain a Hingham mooring/docking permit. These permit owners are exempt from paying excise tax to the town of Hingham provided they provide written evidence that the excise tax was paid to Weymouth.

§ 15 Worlds End Mooring Area

A. Purpose and Expectations

The Worlds End Mooring Area is designed to allow the public access for purposes of recreation and enjoyment, provided that no vessel may:

- (i) Moor for more than 14 days;
- (ii) Discharge any waste as this area is within a Federal No Discharge Area;
- (iii) Disturb the peace or cause for disruption of this protected Area of Critical Environmental Concern;
or
- (iv) Violate any other parts of these regulations that apply to moorings or any federal, state, local by-laws or regulations.

MOORINGS, ANCHORING AND DOCKING

B. Waiting List

The waiting list will be managed as outlined in Section 4B.

C. All Moorings Required to have a Permit

- (i) All new permit owners will be admitted from the waiting list established in Section 4B.
- (ii) The issuance of new mooring/docking permits will follow Section 4C of these regulations.
- (iii) Mooring/docking permit renewals will follow Section 4D of these regulations.
- (iii) The permit owner shall pay excise tax to the town/city where their vessel is primarily moored. Upon proof of payment to the town/city where their vessel is primarily moored they will be exempt from paying excise tax to Hingham.

D. Renting

The Harbormaster will maintain no more than 5% of the mooring locations for transient rentals. The fee will be per boat and the Harbormaster may raft a reasonable number of vessels taking into consideration the vessel types, weather and other factors as he deems significant. No person, marina, or entity may offer a mooring or mooring location for rent or lease in the Worlds End Mooring Area.

E. Rafting

Rafting is permitted in this mooring area only when safe conditions allow, provided that the vessels:

- (i) Are properly secured and fended;
- (ii) Take appropriate measures to avoid contact with other moored vessels; and
- (iii) Do not impede or interfere with the navigation of other vessels through the mooring area.

F. Anchoring

Anchoring is permitted subject to the following restrictions:

- (i) No overnight anchoring without prior Harbormaster approval, exception to section 9;
- (ii) No rafting from one anchor; each rafted vessel shall have its own anchor deployed;
- (iii) No interference with moored vessels or navigation of vessels through the mooring area.

MOORINGS, ANCHORING AND DOCKING

§ 16 Penalties and Review of Local Decision

The owner of any vessel, mooring or other object not properly moored or not properly permitted, and anyone found in violation of these rules and regulations, shall be subject to a non-criminal citation and fee to be set by the Selectmen for each offence, removal of the mooring, removal of the vessel, or all three.

Any applicant aggrieved by a refusal to permit a mooring or by any condition or restriction imposed relative thereto, may request a review in writing to the Department within 30 days after receiving notice of such refusal or of the imposition of such condition or restriction. A copy of the request shall be sent at the same time to the Harbormaster.

§ 17 Conformance with Existing Regulations and Disclaimer

(i) Upon the written request of a vessel owner, the Harbormaster has the authority to make exceptions to the Section 7 mooring and tackle specifications when unusual situations arise.

(ii) Nothing in the above regulations shall be construed as altering in any way the content and meaning of provisions of Article 15 of the Town of Hingham By-laws, or applicable provisions of Massachusetts General Laws or the Code of Massachusetts Regulations.

(iii) Reasonable attempts have been made in the development of these regulations and specifications believed to be proper for the safety of all boaters in Hingham Harbor. They are not an assurance of a safe mooring due to variations in weather, individual boater use, and other factors over which the Harbormaster has no control. Ultimately the responsibility and liability rest on the individual permit owner. Specifications and actions of the Harbormaster & Town of Hingham are not to be considered assurances of safety.

(iv) The Town of Hingham and Harbormaster assume no liability in allowing “rafting” to take place.

MOORINGS, ANCHORING AND DOCKING

By Authority of the Harbormaster and the Board of Selectmen of the Town of Hingham these regulation have been adopted replacing any prior regulations and shall take effect on March Two Thousand and Ten.

Kenneth R. Corson III
Harbormaster

John A. Riley
Selectman

Laura M. Burns
Selectwoman

Bruce Rabuffo
Selectman

The following sections have been modified and/or are new and revised on date.